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Attorneys for Defendants International Data
Group, Inc., CXO Media, Inc. and Steve Ragan

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

RIVER CITY MEDIA, LLC, a Wyoming
limited liability company, MARK
FERRIS, an individual, MATT FERRIS,
an individual, and AMBER PAUL, an
individual,

Plaintiffs,

vs.

No. 2:17-cv-105-SAB

DEFENDANT CXO MEDIA, INC.'S
MOTION TO EXPEDITE HEARING ON
CXO MEDIA, INC.'S MOTION TO
MODIFY IN PART ORDER ON MOTION
TO COMPEL BASED ON PLAINTIFFS'
COUNSEL'S WITHDRAWAL OF
CERTAIN DISCOVERY REQUESTS AT
HEARING

CXO MEDIA, INC.'S, MOTION TO EXPEDITE
HEARING ON CXO MEDIA, INC.'S MOTION TO
MODIFY IN PART ORDER ON MOTION TO
COMPEL BASED ON PLAINTIFFS' COUNSEL'S
WITHDRAWAL OF CERTAIN DISCOVERY
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1 KROMTECH ALLIANCE
 2 CORPORATION, a German corporation,
 3 CHRIS VICKERY, an individual, CXO
 4 MEDIA, INC., a Massachusetts
 5 corporation, INTERNATIONAL DATA
 6 GROUP, INC., a Massachusetts
 7 corporation, and STEVE RAGAN, an
 8 individual, and DOES 1-50,

Without Oral Argument
Hearing Date: March 30, 2018
Spokane, Washington

Defendants.

8 Defendant CXO Media, Inc. ("CXO") files this Motion to Expedite Hearing
 9 ("Motion to Expedite") on *CXO's Motion to Modify In Part Order on Motion to Compel*
 10 *Based on Plaintiffs' Counsel's Withdrawal of Certain Requests at Hearing* ("Motion to
 11 Modify In Part") as follows:

13 CXO files this Motion to Expedite because the time to act on the Order on Motion
 14 to Compel (ECF No. 98) is nineteen (19) days from today's date (*i.e.*, by April 11, 2018),
 15 and under the local rules a non-dispositive motion ordinarily must have a hearing that is
 16 "at least 30 days after the motion's filing." *See* LR 7.1(h)(2)(A). Thus, without
 17 expedited consideration, CXO's Motion to Modify in Part would not be heard until *after*
 18 the deadline for compliance with the Order that it seeks to modify in part. This is the
 19 quintessential example of good cause for expedited consideration because otherwise the
 20 relief sought in the Motion to Modify in Part will be lost by the time that it is heard. *Cf.*
 21 *James v. Townsley*, No. CV-11-050-EFS, 2011 WL 2559629, at *1 & n.2 (E.D. Wash.

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1 June 28, 2011) (expediting consideration where determination had to be made in twenty-
2 one days).

3
4 CXO requests that the Court order that it will consider CXO's Motion to Modify in
5 Part on April 6, 2018, and that should Plaintiffs wish to file a Response to the Motion to
6 Modify in Part, they must do so by April 3, 2018 (ordinarily their response would be due
7 only 3 days later, April 6, 2018).

8
9 CXO's counsel has attempted to confer with Plaintiffs' counsel regarding this
10 Motion to Expedite and Plaintiffs' counsel is opposed to this Motion to Expedite.

11 **Conclusion and Prayer**

12 For the foregoing reasons, the Court should grant CXO's Motion to Expedite,
13 order that consideration of CXO's Motion to Modify in Part take place on April 6, 2018
14 and that if Plaintiffs wish to file a Response to the Motion to Modify in Part, they must
15 do so by April 3, 2018.
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1 Respectfully submitted this 23rd day of March, 2018.

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1 I hereby certify that on March 23, 2018, I electronically filed the foregoing with
2 the Clerk of the Court using the CM/ECF System which will send notification of such
3 filing to the following:
4

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